IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 9904 of 2004

Between:
1 Mohsin Awad, s/o Awad Baleshwar,
r/o Flat No.05, Meenakshi Towers, Road No.12, Banjara Hills, Hyderabad.
2 Smt.Fatima Syed, w/o Mohsin Awad Baleshwar,
r/o Flat No.05, Meenakshi Towers, Road No.12, Banjara Hills, Hyderabad.

..... PETITIONERS

AND
1 Smt.Sahebzadi Fratrooqunnisa Begum, d/o HEH the Nizam, VII of Hyderabad,
r/o H.No.10-3-277/2/C, Masab Tank, Hyderabad.
2 Mohd.Wahid Khan, s/o Mohd.Khan,
r/o H.No.10-3-277/2/C, Masab Tank, Hyderabad.
3 Hassan Bin Mubarak, s/o Mubarak
died on 24-1-2003 rep., by his Lrs.,
4 Basheer Mohd Khan s/o late Dawood Khan
r/o Red Hills, Hyderabad.
5 Mrs.Ayesha Zainab, w/o late Hasan Bin Mubarak,
r/o Flat No.11, B Block, Amina Complex, Uppal R.R.District.
6 Habeeb Jaffer Bin Hasan, s/o late Hasan Bin Mubarak,
r/o Flat No.112, B.Block, Amina Complex, Uppal R.R.District.
7 Miss Basheer Fathima, d/o late Hasan Bin Mubarak,
r/o Flat No.112, B Block, Amina Complex, Uppal R.R.District.
8 Habeeb Ali Bin Hasan, s/o late Hasan Bin Mubarak,
r/o Flat No.112, B Block, Amina Complex, Uppal R.R.District.
9 The Hon'ble XII Additional Chief Judge (Fast Track) City Civil Court, at Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of mandamus, declaring the action of respondent No.9 as null and void and set aside the orders passed in IA No.14 of 2004 in OS No.19 of 2000 dated 12-2-2004 passed by the Hon'ble XII Additional Chief Judge (Fast Track) C.C.C. Hyderabad (respondent No.9)

Counsel for the Petitioners: MR.D.MADHAVA RAO, Advocate

Counsel for the Respondents: None

The Court made the following ORDER:

After hearing the learned counsel for the petitioners, the learned counsel sought to withdraw the writ petition with a liberty to approach the Court below, against which order the present writ petition is filed.

Accordingly, permission is granted and the writ petition is dismissed as withdrawn.

Kvh/Jsu

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Hon'ble XII Additional Chief Judge (Fast Track) City Civil Court, at Hyderabad
2. Two CD copies.